

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 1A-16.6 and 1A-16.8 as follows:

6 (10 ILCS 5/1A-16.6)

7 Sec. 1A-16.6. Government agency voter registration.

8 (a) ~~The~~ ~~By April 1, 2016,~~ the State Board of Elections  
9 shall establish and maintain a portal for automatic government  
10 agency registration that permits an eligible person to  
11 electronically apply to register to vote or to update his or  
12 her existing voter registration whenever he or she conducts  
13 business, either online or in person, with a designated  
14 government agency. The portal shall interface with the online  
15 voter registration system established in Section 1A-16.5 of  
16 this Code and shall be capable of receiving and processing  
17 voter registration application information, including  
18 electronic signatures, from a designated government agency.  
19 The State Board of Elections shall modify the online voter  
20 registration system as necessary to implement this Section.

21 Voter registration data received from a designated  
22 government agency through the online registration application  
23 system shall be processed as provided for in Section 1A-16.5 of

1 this Code.

2 Whenever the registration interface is accessible to the  
3 general public, including, but not limited to, online  
4 transactions, the interface shall allow the applicant to  
5 complete the process as provided for in Section 1A-16.5 of this  
6 Code. The online interface shall be capable of providing the  
7 applicant with the applicant's voter registration status with  
8 the State Board of Elections and, if registered, the  
9 applicant's current registration address. The applicant shall  
10 not be required to re-enter any registration data, such as  
11 name, address, and birth date, if the designated government  
12 agency already has that information on file. ~~The applicant~~  
13 ~~shall be informed that by choosing to register to vote or to~~  
14 ~~update his or her existing voter registration, the applicant~~  
15 ~~consents to the transfer of the applicant's personal~~  
16 ~~information to the State Board of Elections.~~

17 (a-5) Whenever an employee of a designated government  
18 agency serves a member of the public a government employee is  
19 accessing the registration system while servicing the  
20 applicant, the agency shall inform the individual in writing of  
21 the qualifications to register to vote in Illinois and of the  
22 penalties provided by law for submission of a false voter  
23 registration application and shall provide an opportunity to  
24 attest to meeting those qualifications under penalty of  
25 perjury. The agency shall notify the individual that his or her  
26 personal information shall be transferred to the State Board of

1 Elections for the purpose of creating an electronic voter  
2 registration application, and that the individual will only be  
3 registered to vote if he or she meets the qualifications to  
4 register to vote in Illinois. The agency shall not require the  
5 individual to provide duplicate information, including, but  
6 not limited to, any information he or she has already provided  
7 as part of the underlying service transaction, except for a  
8 signature. The agency shall inform the individual in writing  
9 that declining to transfer his or her personal information for  
10 voter registration purposes is confidential and will not affect  
11 any services the individual may be seeking from the agency. The  
12 individual shall not be required to disclose the reason for  
13 declining, including his or her citizenship status. After each  
14 transaction, the agency shall electronically transfer to the  
15 State Board of Elections personal information relevant to voter  
16 registration, including all records of documents relating to  
17 identity, address, and citizenship, for every applicant,  
18 regardless of whether or not the individual executed an  
19 attestation. The State Board of Elections shall electronically  
20 transfer to the appropriate election authority all voter  
21 registration information required for each voter registration  
22 application it creates ~~government employee shall notify the~~  
23 ~~applicant of the applicant's registration status with the State~~  
24 ~~Board of Elections and, if registered, the applicant's current~~  
25 ~~registration address. If the applicant elects to register to~~  
26 ~~vote or to update his or her existing voter registration, the~~

1 ~~government employee shall collect the needed information and~~  
2 ~~assist the applicant with his or her registration. The~~  
3 ~~applicant shall be informed that by choosing to register to~~  
4 ~~vote or to update his or her existing voter registration, the~~  
5 ~~applicant consents to the transfer of the applicant's personal~~  
6 ~~information to the State Board of Elections.~~

7 (a-10) Upon receipt of personal information collected and  
8 transferred by a designated government agency, the State Board  
9 of Elections shall check the information against the statewide  
10 voter registration database. The State Board of Elections shall  
11 create and electronically transmit to the appropriate election  
12 authority a voter registration application for all individuals  
13 who are not registered to vote in Illinois and are not  
14 disqualified as provided in subsection (a-15) of this Section  
15 or whose information reliably indicates a more recent update to  
16 the name or address of a person already included in the  
17 statewide voter database, regardless of whether they provided  
18 an attestation during the agency transaction. The election  
19 authority shall process the application accordingly. If an  
20 individual did not provide an attestation during the agency  
21 transaction, the election authority shall not treat the  
22 application as complete or add the individual to the voter  
23 registration list until the expiration of a period of time  
24 established by rule for declining registration.

25 (a-15) If the State Board of Elections determines that  
26 personal information collected and transferred by the

1 designated government agency includes a green card or other  
2 legal proof that the person is not a United States citizen,  
3 then the State Board of Elections shall not create a voter  
4 registration application and shall notify the person of the  
5 reason his or her voter registration application is incomplete.

6 (a-20) Unless the application is incomplete pursuant to  
7 subsection (a-15), the State Board of Elections shall create  
8 and electronically transmit to the appropriate election  
9 authority a voter registration application for any individual  
10 who has attested to meeting voter registration applications. If  
11 the personal information collected and transferred by the  
12 designated government agency does not make it clear whether or  
13 not a person is qualified to register to vote in Illinois, the  
14 person's attestation that he or she is so qualified shall be  
15 deemed sufficient evidence of meeting qualifications to  
16 register to vote and the election authority shall process the  
17 application accordingly.

18 (a-25) The appropriate election authority shall ensure  
19 that any applicant who is registered to vote or whose existing  
20 voter registration is updated under this Section is promptly  
21 sent written notice of the change. The notice may be sent by  
22 electronic mail if the applicant has provided an electronic  
23 mail address on the voter registration form. The notice  
24 required by this subsection (a-25) may be sent or combined with  
25 other notices required or permitted by law, including, but not  
26 limited to, any notices sent pursuant to Section 1A-16.5 of

1 this Code. Any notice required by this subsection (a-25) shall  
2 contain, at a minimum:

3 (1) the applicant's name, date of birth, and  
4 residential address as reflected on the voter registration  
5 list;

6 (2) a statement that the applicant will be registered  
7 to vote or will have his or her voter registration updated  
8 unless he or she declines registration within a period of  
9 time established by rule;

10 (3) a statement of the qualifications to be a voter;

11 (4) a statement that it is illegal for a person who is  
12 not qualified to be a voter to vote in an election, which  
13 shall be printed in larger text than the rest of the  
14 notice;

15 (5) a statement notifying the applicant to contact the  
16 appropriate election authority if he or she does not meet  
17 the qualifications to be a voter and stating that the  
18 applicant does not have to provide a reason he or she is  
19 not qualified to vote or disclose citizenship status;

20 (6) a statement notifying the applicant to contact the  
21 appropriate election authority if his or her voter  
22 registration has been updated in error;

23 (7) a statement notifying the applicant that he or she  
24 may opt out of voter registration, or request a change to  
25 registration information, at any time by contacting an  
26 election official;

1           (8) a prepaid postcard allowing the applicant to opt  
2           out of voter registration or update his or her voter  
3           registration information, or directions for opting out of  
4           voter registration or updating voter registration  
5           information online;

6           (9) contact information for the appropriate election  
7           authority, including a phone number, address, electronic  
8           mail address, and website address;

9           (10) a statement notifying the applicant that some  
10           personal information related to voter registration may be  
11           subject to public disclosure for purposes related to the  
12           electoral process unless protected under an address  
13           confidentiality program; and

14           (11) any other information necessary to fulfill the  
15           obligations of this Section or local, State, or federal  
16           law.

17           (a-30) The appropriate election authority shall ensure  
18           that any applicant whose voter registration application is not  
19           accepted or deemed incomplete is promptly sent written notice  
20           of the application's status. The notice may be sent by  
21           electronic mail if the applicant has provided an electronic  
22           mail address on the voter registration form. The notice  
23           required by this subsection (a-30) may be sent or combined with  
24           other notices required or permitted by law, including, but not  
25           limited to, any notices sent pursuant to Section 1A-16.5 of  
26           this Code. Any notice required by this subsection (a-30) shall

1 contain, at a minimum, the reason the application was not  
2 accepted or deemed incomplete and contact information for the  
3 appropriate election authority including a phone number,  
4 address, electronic mail address, and website address.

5 (a-35) If a designated government agency transfers  
6 information, or if the State Board of Elections creates and  
7 transmits a voter registration application, for a person who  
8 does not qualify as an eligible voter, it shall not constitute  
9 a completed voter registration form, and the person shall not  
10 be considered to have registered to vote. If the registration  
11 is processed by any election authority, it shall be presumed to  
12 have been effected and officially authorized by the State and  
13 that person shall not be found on that basis to have made a  
14 false claim to citizenship or to have committed an act of moral  
15 turpitude, nor shall that person be subject to penalty under  
16 any relevant laws, including, but not limited to, Sections  
17 29-10 and 29-19 of this Code. This subsection (a-35) does not  
18 apply to any person who knows that he or she is ineligible to  
19 register to vote but who knowingly and willfully registers to  
20 vote or attests under penalty of perjury that he or she is  
21 eligible to register to vote.

22 (a-40) No employee of a designated government agency shall  
23 transmit to the State Board of Elections personal information  
24 for any person who applies for or is issued a temporary  
25 visitor's driver's license pursuant to Section 6-105.1 of the  
26 Illinois Vehicle Code.

1       (a-45) In the event that the registration of a voter is  
2 changed from one address to another within the State and the  
3 voter appears at the polls and offers to vote from the prior  
4 registration address, attesting that the prior registration  
5 address is the true current address, the voter, if confirmed by  
6 the election authority as having been registered at the prior  
7 registration address and canceled only by the process  
8 authorized by this Section, shall be issued a regular ballot,  
9 and the change of registration address shall be canceled. If  
10 the election authority is unable to immediately confirm the  
11 registration, the voter shall be permitted to register and vote  
12 a regular ballot, provided that he or she meets the documentary  
13 requirements for same-day registration. If the election  
14 authority is unable to confirm the registration and the voter  
15 does not meet the requirements for same-day registration, the  
16 voter shall be issued a provisional ballot and the provisional  
17 ballot shall be counted as provided for under Article 18A of  
18 this Code. No voter shall be disqualified from voting due to an  
19 error relating to an update of registration made under this  
20 Section.

21       (a-50) In accordance with technical specifications  
22 provided by the State Board of Elections, each designated  
23 government agency shall maintain a data transfer mechanism  
24 capable of transmitting voter registration application  
25 information, including electronic signatures where available,  
26 to the online voter registration system established in Section

1 1A-16.5 of this Code. Each designated government agency shall  
2 establish and operate a voter registration system capable of  
3 transmitting voter registration application information to the  
4 portal as described in this Section by July 1, 2016.

5 (b) Whenever an applicant's data is transferred from a  
6 designated government agency, the agency must transmit a  
7 signature image if available. If no signature image was  
8 provided by the agency or if no signature image is available in  
9 the Secretary of State's database or the statewide voter  
10 registration database, the applicant must be notified that  
11 their registration will remain in a pending status and the  
12 applicant will be required to provide identification and a  
13 signature to the election authority on Election Day in the  
14 polling place or during early voting.

15 (b-5) The State Board of Elections and designated  
16 government agencies shall implement policies and procedures to  
17 protect the privacy and security of voter information as it is  
18 acquired, stored, and transmitted among agencies, including  
19 policies for the retention and preservation of voter  
20 information. Information designated as confidential under this  
21 Section may be recorded and shared among the State Board of  
22 Elections, election authorities, and designated government  
23 agencies, but shall be used only for voter registration  
24 purposes, shall not be disclosed to the public except in the  
25 aggregate as required by subsection (d) of this Section, and  
26 shall not be subject to the Freedom of Information Act. The

1 following information shall be designated as confidential: any  
2 portion of an applicant's Social Security number, any portion  
3 of an applicant's motor vehicle driver's license number or  
4 State identification number, an applicant's decision to  
5 decline voter registration, the identity of the designated  
6 government agency providing information relating to a specific  
7 applicant, and the personal residence and contact information  
8 of any applicant for whom local, State, or federal law requires  
9 confidentiality, including, but not limited to, a victim of  
10 domestic violence pursuant to the Address Confidentiality for  
11 Victims of Domestic Violence Act or a victim of stalking  
12 pursuant to the Stalking No Contact Order Act. This subsection  
13 (b-5) shall not apply to information the State Board of  
14 Elections is required to share with the Electronic Registration  
15 Information Center.

16 (c) The voter registration procedures implemented under  
17 this Section shall comport with the federal National Voter  
18 Registration Act of 1993, as amended, and shall specifically  
19 require that the ~~The State Board of Elections shall~~ track  
20 registration data received through the online registration  
21 system that originated from a designated government agency for  
22 the purposes of maintaining statistics ~~required by the federal~~  
23 ~~National Voter Registration Act of 1993, as amended.~~

24 (c-5) No later than September 1, 2016, designated  
25 government agencies under this Section shall transfer all  
26 personal information contained in relevant agency databases

1 and collected since September 1, 2015 to the State Board of  
2 Elections for cross-reference against the statewide voter  
3 registration database. The State Board of Elections shall  
4 create voter registration applications for all persons who are  
5 not registered to vote in Illinois and are not disqualified as  
6 provided in subsection (a-15) of this Section or whose records  
7 indicate a more recent update to an existing voter  
8 registration, and shall transmit these voter registration  
9 applications to the appropriate election authorities for  
10 processing and registration.

11 (d) The State Board of Elections shall submit an annual  
12 public ~~a~~ report to the General Assembly and the Governor ~~by~~  
13 ~~December 1, 2015~~ detailing the progress made to implement ~~the~~  
14 ~~government agency voter registration portal described in this~~  
15 Section. The report shall include all of the following: the  
16 number of records transferred under this Section by agency, the  
17 number of voters newly added to the statewide voter  
18 registration list because of records transferred under this  
19 Section by agency, the number of updated registrations under  
20 this Section by agency, the number of persons who opted out of  
21 voter registration, and the number of voters who submitted  
22 voter registration forms using the online procedure described  
23 in Section 1A-16.5 of this Code. Any report produced under this  
24 subsection (d) shall exclude any information that identifies  
25 any individual personally.

26 (d-5) The State Board of Elections, each election authority

1 that maintains a website, and each designated government agency  
2 that maintains a website shall provide information on their  
3 websites informing the public about the new registration  
4 procedures described in this Section. Each designated  
5 government agency shall display signage or provide literature  
6 for the public containing information about the new  
7 registration procedures described in this Section.

8 (d-10) No later than January 1, 2017, the State Board of  
9 Elections shall hold at least one public hearing on  
10 implementing this amendatory Act of the 99th General Assembly  
11 at which the public may provide input.

12 (e) The State Board of Elections, in consultation with  
13 election authorities, the Secretary of State, designated  
14 government agencies, and community organizations, shall adopt  
15 rules as necessary to implement the provisions of this Section  
16 ~~, in consultation with the impacted agencies.~~

17 (e-5) Subsection (c-5) of this Section shall be implemented  
18 no later than September 1, 2016. Subsections (a-5) through  
19 (a-45) and subsection (b-5) of this Section shall be  
20 implemented no later than July 1, 2017 for all designated  
21 government agencies maintained by the Secretary of State and no  
22 later than January 1, 2018 for all other designated government  
23 agencies.

24 (f) As used in this Section, a "designated government  
25 agency" means the Secretary of State's Driver Services and  
26 Vehicle Services Departments, the Department of Human

1 Services, the Department of Healthcare and Family Services, the  
2 Department of Employment Security, ~~and~~ the Department on Aging,  
3 any federal source that agrees to submit personal  
4 identification information to the State for voter registration  
5 purposes, and any other reliable State government source the  
6 State Board of Elections may designate.

7 (Source: P.A. 98-1171, eff. 6-1-15.)

8 (10 ILCS 5/1A-16.8)

9 Sec. 1A-16.8. Automatic transfer of registration based  
10 upon information from the National Change of Address database  
11 and designated government agencies, as defined in Section  
12 1A-16.6 of this Code. The State Board of Elections shall  
13 cross-reference the statewide voter registration database  
14 against the United States Postal Service's National Change of  
15 Address database twice each calendar year, April 15 and October  
16 1 in odd-numbered years and April 15 and December 1 in  
17 even-numbered years, and shall share the findings with the  
18 election authorities. In addition, beginning no later than  
19 September 1, 2016, the State Board of Elections shall utilize  
20 data provided as part of its membership in the Electronic  
21 Registration Information Center in order to cross-reference  
22 the statewide voter registration database against databases of  
23 relevant personal information kept by designated government  
24 agencies, including, but not limited to, driver's license  
25 information kept by the Secretary of State, at least 6 times

1 each calendar year and shall share the findings with election  
2 authorities. An election authority shall automatically  
3 register any voter who has moved into its jurisdiction from  
4 another jurisdiction in Illinois or has moved within its  
5 jurisdiction provided that:

6 (1) the election authority whose jurisdiction includes  
7 the new registration address provides the voter an  
8 opportunity to reject the change in registration address  
9 through a mailing, sent by non-forwardable mail, to the new  
10 registration address, and

11 (2) when the election authority whose jurisdiction  
12 includes the previous registration address is a different  
13 election authority, then that election authority provides  
14 the same opportunity through a mailing, sent by forwardable  
15 mail, to the previous registration address.

16 This change in registration shall trigger the same  
17 inter-jurisdictional or intra-jurisdictional workflows as if  
18 the voter completed a new registration card, including the  
19 cancellation of the voter's previous registration. Should the  
20 registration of a voter be changed from one address to another  
21 within the State and should the voter appear at the polls and  
22 offer to vote from the prior registration address, attesting  
23 that the prior registration address is the true current  
24 address, the voter, if confirmed by the election authority as  
25 having been registered at the prior registration address and  
26 canceled only by the process authorized by this Section, shall

1 be issued a regular ballot, and the change of registration  
2 address shall be canceled. If the election authority is unable  
3 to immediately confirm the registration, the voter shall be  
4 permitted to register and vote a regular ballot, provided that  
5 he or she meets the documentary requirements for same-day  
6 registration. If the election authority is unable to confirm  
7 the registration and the voter does not meet the requirements  
8 for same-day registration, the voter shall be issued a  
9 provisional ballot and the provisional ballot shall be counted  
10 as provided under Article 18A of this Code. No voter shall be  
11 disqualified from voting due to an error relating to an update  
12 of registration under this Section.

13 (Source: P.A. 98-1171, eff. 6-1-15.)

14 Section 10. The Illinois Vehicle Code is amended by  
15 changing Section 2-105 as follows:

16 (625 ILCS 5/2-105) (from Ch. 95 1/2, par. 2-105)

17 Sec. 2-105. Offices of Secretary of State.

18 (a) The Secretary of State shall maintain offices in the  
19 State capital and in such other places in the State as he may  
20 deem necessary to properly carry out the powers and duties  
21 vested in him.

22 (b) The Secretary of State may construct and equip one or  
23 more buildings in the State of Illinois outside of the County  
24 of Sangamon as he deems necessary to properly carry out the

1 powers and duties vested in him. The Secretary of State may, on  
2 behalf of the State of Illinois, acquire public or private  
3 property needed therefor by lease, purchase or eminent domain.  
4 The care, custody and control of such sites and buildings  
5 constructed thereon shall be vested in the Secretary of State.  
6 Expenditures for the construction and equipping of any of such  
7 buildings upon premises owned by another public entity shall  
8 not be subject to the provisions of any State law requiring  
9 that the State be vested with absolute fee title to the  
10 premises. The exercise of the authority vested in the Secretary  
11 of State by this Section is subject to the appropriation of the  
12 necessary funds.

13 (c) Pursuant to Sections 1A-16.6 and Section 1A-25 of the  
14 Election Code, the Secretary of State shall make driver  
15 services facilities available for use as places of accepting  
16 applications for voter registration.

17 (d) (Blank).

18 (e) Each person applying at a driver services facility for  
19 a driver's license or permit, a corrected driver's license or  
20 permit, an Illinois identification card or a corrected Illinois  
21 identification card shall be notified, under the procedures set  
22 forth in Section 1A-16.6 of the Election Code, that unless he  
23 or she opts out that the person shall be registered ~~may apply~~  
24 ~~to register~~ to vote, and if his or her address has changed, his  
25 or her voter registration information shall be updated to the  
26 new address within this State ~~at such station and may also~~

1 ~~apply to transfer his or her voter registration at such station~~  
2 ~~to a different address in the State.~~ Such notification may be  
3 made in writing or verbally issued by an employee or the  
4 Secretary of State.

5 The Secretary of State shall promulgate such rules as may  
6 be necessary for the efficient execution of his duties and the  
7 duties of his employees under this Section.

8 (f) Any person applying at a driver services facility for  
9 issuance or renewal of a driver's license or Illinois  
10 Identification Card shall be provided, without charge, with a  
11 brochure warning the person of the dangers of financial  
12 identity theft. The Department of Financial and Professional  
13 Regulation shall prepare these brochures and provide them to  
14 the Secretary of State for distribution. The brochures shall  
15 (i) identify signs warning the reader that he or she might be  
16 an intended victim of the crime of financial identity theft,  
17 (ii) instruct the reader in how to proceed if the reader  
18 believes that he or she is the victim of the crime of identity  
19 theft, and (iii) provide the reader with names and telephone  
20 numbers of law enforcement and other governmental agencies that  
21 provide assistance to victims of financial identity theft.

22 (Source: P.A. 97-81, eff. 7-5-11.)

23 Section 99. Effective date. This Act takes effect upon  
24 becoming law.